

**Maine Revised Statutes**  
**Title 22: HEALTH AND WELFARE**  
**Chapter 1691: MAINE Background Check Center ACT**

**§9062. PENALTIES**

**1. Conduct subject to penalties.** An employer may be subject to the penalties under this chapter for any of the following:

- A. Failure to conduct a mandatory background check; [ 2015, c. 299, §25 (NEW) . ]
- B. Failure or refusal to terminate or remove from direct access employment an employee who is disqualified for employment based on the requirements of this chapter; and [ 2015, c. 299, §25 (NEW) . ]
- C. Substantial noncompliance with the procedures established by this chapter. [ 2015, c. 299, §25 (NEW) . ]

[ 2015, c. 299, §25 (NEW) . ]

**2. Fines.** An employer who fails to comply with the provisions of this chapter is subject to the penalties set out under this subsection.

- A. An employer who fails to secure a background check in accordance with this chapter or knowingly employs a disqualified individual for direct access employment commits a civil violation for which a fine of not less than \$500 but not more than \$10,000 per day may be adjudged, beginning on the first day the violation occurs and for each day of continued violation. Each day constitutes a separate offense. [ 2015, c. 299, §25 (NEW) . ]
- B. An employer is subject to the penalties under paragraph A if that employer conditionally employs an individual before receiving verification that the individual has met the requirements of conditional employment described in this chapter. [ 2015, c. 299, §25 (NEW) . ]
- C. An employer who fails to comply with the confidentiality requirements and conditional employment requirements of this chapter commits a civil violation for which a fine of not less than \$500 but not more than \$5,000 may be adjudged for each violation. [ 2015, c. 299, §25 (NEW) . ]

[ 2015, c. 299, §25 (NEW) . ]

**SECTION HISTORY**

2015, c. 299, §25 (NEW) .

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